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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,426	12/27/2001	George Brookner	ASCO.P-070	8729

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EXAMINER

WOO, RICHARD SUKYOON

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 12/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/683,426

Applicant(s)

BROOKNER

Examiner

Richard Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2) Claims 1, 3-4, 7, 9-10, 12-13, 16, 18-20, 22-23, 26 and 28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruat (WO 95/20200).

Ruat discloses a method for use with mail piece, comprising (see generally Figs.):

requiring receipt of first information about a purchaser's identity;
deriving second information from the first information;
printing the second information upon the at least one postal indicium (see Figs.);
receiving an addressed mail piece with the at least one postal indicium into the mail;
delivering the mail piece;
wherein the postal indicium is a meter strip (see Figs.);
wherein the postal indicium is printed on an envelope (see Figs.);
wherein the second information is a visibly printed bar code (see Figs.);
number of postal indicia comprising a plurality; and
wherein the information about the identity is cryptographically signed (see Figs. and abstract).

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3) Claims 1, 3-4, 6-10, 12-13, 15-20, 22-23, 25-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Windel et al. (US 5,953,426).

Windel et al. discloses a method for use with mail piece, comprising (see generally Figs.):

- requiring receipt of first information about a purchaser's identity;
- deriving second information from the first information;
- printing the second information upon the at least one postal indicium (see Figs.);
- receiving an addressed mail piece with the at least one postal indicium into the mail;
- delivering the mail piece;
- wherein the postal indicium is a meter strip (see Figs.);
- wherein the postal indicium is printed on an envelope (see Figs.);
- wherein the second information is an invisibly printed bar code;
- wherein the second information is a visibly printed bar code (see Figs.);
- wherein the second information is a human readable message (see Figs.)
- number of postal indicia comprising a plurality;
- wherein the information about the identity is cryptographically signed (see Figs. and abstract); and
- inspecting the delivered mail piece when the sender is not on the list of expected senders.

Claim Rejections - 35 USC § 103

4) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5) Claims 2, 11, 21 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruat in view of Brasington et al. (US 5,923,406).

Ruat discloses the invention as cited earlier, but does not expressly disclose the method and apparatus comprising the postal indicium being an adhesive postage.

Brasington et al. teaches, for a postal stamp machine, that the postal stamp is adhesive (see Figs.).

Since Ruat and Brasington et al. are both from the same field of endeavor, the purpose disclosed by Brasington et al. would have been well recognized in the pertinent art of Ruat.

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art, to modify the postal stamp of Ruat such that the postal stamp is printed on the adhesive label, as taught by Brasington et al., for the purpose of attaching the stamp onto the mail piece instead of traditionally moisturizing the stamp to make it adhesive.

6) Claims 2, 11, 21 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windel et al. in view of Brasington et al. (US 5,923,406).

Windel et al. discloses the invention as cited earlier, but does not expressively disclose the method and apparatus comprising the postal indicium being an adhesive postage.

Brasington et al. teaches, for a postal stamp machine, that the postal stamp is adhesive (see Figs.).

Since Windel et al. and Brasington et al. are both from the same field of endeavor, the purpose disclosed by Brasington et al. would have been well recognized in the pertinent art of Windel et al..

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art, to modify the postal stamp of Windel et al. such that the postal stamp is printed on the adhesive label, as taught by Brasington et al., for the purpose of attaching the stamp onto the mail piece instead of traditionally moisturizing the stamp to make it adhesive.

7) Claims 5, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruat in view of Kara (US 5,717,597).

Ruat discloses the invention as cited earlier, but does not expressively disclose the postal indicium being printed on a post card.

Kara teaches, for a system and method for printing the postage indicia, that the postage indicia are printed on a post card (see Figs.).

Since Ruat and Kara are both from the same field of endeavor, the purpose disclosed by Kara would have been well recognized in the pertinent art of Ruat.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art, to print the postage indicia on the post cards, as taught by Kara, for the purpose of producing the personalized post or greeting cards with custom-made postage indicia.

8) Claims 5, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windel et al. in view of Kara (US 5,717,597).

Windel et al. discloses the invention as cited earlier, but does not expressively disclose the postal indicium being printed on a post card.

Kara teaches, for a system and method for printing the postage indicia, that the postage indicia are printed on a post card (see Figs.).

Since Windel et al. and Kara are both from the same field of endeavor, the purpose disclosed by Kara would have been well recognized in the pertinent art of Windel et al..

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art, to print the postage indicia on the post cards, as

taught by Kara, for the purpose of producing the personalized post or greeting cards with custom-made postage indicia.

Conclusion

9) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,098,130 is cited to show a postal stamp and metering device. The postal stamp is introduced which has provisions for entering, by the stamp user, both the destination and original identifier codes which are detectable by a scanning device.

US 5,848,810 is cited to show a printed label for postal indicia. The labels may stimulate first class postage metering including a circle indicating the zip code of origin.

"Could 'Smart Mail' Ease Postal Fears?" is cited to show an intelligent postage, which can be printed using PC printers, contains important mail processing information that can provide valuable assistance to authorities.

"Promise of Secure Digital Mail" is cited to show an intelligent mail like a Caller-ID program for mail, conveying the 'who, when, and where' of the mailer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Woo whose telephone number is 703-308-7830. The examiner can normally be reached on Monday-Friday from 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-308-3691 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0861.



Richard Woo
Patent Examiner
GAU 3629
December 6, 2002



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600